

Amend by striking out in the proviso in the resolution, after the words "Trinity river," the words, "and north thirty-second parallel latitude."

Adopted.

Senator Bowers offered the following amendment:

Provided further, that one of said commissioners shall reside in each of said sections to be examined; that is, one commissioner shall reside west of the Colorado, one between the Colorado and Sabine rivers, and one east of the Trinity."

Adopted.

Senator Mills offered the following amendments:

Amend by adding, "And provided further, that no member of the Legislature shall be appointed on either of said commissions."

Pending discussion, Senator Ruby moved to adjourn.

Yeas and nays called for, and resulted as follows:

Yeas—Mr. President, Baker, Bell, Cole, Ford, Fountain, Hall, Hertzberg, Parsons, Pettit, Pickett, Priest, Rawson, Ruby, Saylor—15.

Nays—Alford, Bowers, Broughton, Dohoney, Douglas, Evans, Flanagan, Mills, Pridgen, Pyle, Shannon—11.

Absent—Clark, Gaines, Latimer—3.

So the Senate adjourned.

SENATE CHAMBER,
AUSTIN, TEXAS, Tuesday, August, 2, 1870.

Senate met pursuant to adjournment; President Don Campbell presiding. Roll called; quorum present.

Prayer by the Chaplain.

On motion of Senator Bowers the reading of the journal was dispensed with.

REPORTS FROM STANDING COMMITTEES.

Report of Committee on Public Lands:

COMMITTEE ROOM,
Austin, August 2, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Public Lands, to whom was referred Senate bill No. 140, "To provide for the appointment of county surveyors, and for other purposes," and Senate bill No. 181, "To provide for

surveys and returns of field notes in certain cases," have duly considered the same and instruct me to report them back to the Senate and recommend their passage.

G. T. RUBY,
Chairman.

Laid over under the rules.

Reports of Committee on Judiciary:

COMMITTEE ROOM,
Austin, August 1, 1870.

Hon. DON CAMPBELL,

President of Senate:

SIR: Your Committee on Judiciary, to whom was referred Senate bill No. 152, "An Act to incorporate the Germania Club of San Antonio, Texas;" Senate bill No. 154, "An Act to incorporate the San Antonio Hebrew Benevolent Association;" Senate bill No. 190, "An Act to incorporate the town of Fairfield;" Senate bill No. 207, "An Act to incorporate the town of Centerville;" Senate bill No. 216, "An Act to incorporate the town of Bremond;" and Senate bill No. 286, "An Act to incorporate the Marion county Agricultural and Mechanical Association," have carefully considered the same, and instruct me to report them back with the recommendation that they do pass.

M. PRIEST,
Chairman of Committee.

Laid over under the rules.

COMMITTEE ROOM,
Austin, August 1, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Judiciary, to whom was referred House bill No. 260, "An Act to incorporate the town of Gatesville, in Coryell county, Texas," and House bill No. 109, "An Act to confer upon the city of Indianola all the rights, title and interest of the State in and to the flats adjacent to said city in the waters of Matagorda Bay, in trust for the purposes and upon the conditions herein specified," have carefully considered the same and instruct me to report them back to the Senate with the recommendation that they do pass.

M. PRIEST,
Chairman.

Laid over under the rules.

On motion of Senator Bowers the rules were suspended to take up House bill No. 260.

Bill read second time.

Rules further suspended and bill read third time.

Yeas and nays :

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Ford, Fountain, Gaines, Hall, Latimer, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon—25.

Nays—None.

Absent—Broughton, Mills, Parsons, Hertzberg.

Bill passed.

Report of Committee on Judiciary :

COMMITTEE ROOM,
Austin, August 1, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR : Your Committee on Judiciary, to whom was referred Senate bill No. 135, entitled " An Act to amend ' An Act, approved May 11, 1846, in reference to district courts ;' " Senate bill No. 136, entitled " An Act to amend ' An Act, approved March 31, 1846, in reference to pleadings ;' " Senate bill No. 240, entitled " An Act to authorize the district courts to decide in cases of illegal taxes ;' " and also House bill No. 163, entitled " An Act to provide for the building of court houses and jails," have had the same under careful consideration, and I am instructed to report them back with the recommendation that they do not pass.

M. PRIEST,
Chairman of Committee.

Laid over under the rules.

Reports of Committee on Internal Improvements :

COMMITTEE ROOM,
Austin, August 1, 1870.

Hon. DON. CAMPBELL,

President of the Senate :

SIR : Your Committee on Internal Improvements, to whom was referred Senate bill No. 185, entitled " An Act to amend ' An Act to incorporate the Neches Navigation Company,' approved November 8, 1866," and Senate bill No. 237, entitled " An Act to amend ' An Act to incorporate the Neches Navigation Company,' approved November 8, 1866," respectfully report they have considered the same, and beg leave to offer the accompanying substitute and recommend its passage.

W. A. SAYLOR,
Chairman.

Laid over under the rules.

COMMITTEE ROOM,
Austin, August 1, 1870.

Hon. DON CAMPBELL,

President of the Senate :

Your Committee on Internal Improvements, to whom was referred Senate bill No. 248, entitled "An Act to incorporate the Texas and Mexico Railway, Steamship and Telegraph Company," respectfully report they have considered the same, and recommend the passage of the accompanying substitute.

W. A. SAYLOR,
Chairman.

Laid over under the rules.

COMMITTEE ROOM,
Austin, August 1, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Internal Improvements, to whom was referred Senate bill No. 308, entitled "An Act to incorporate the San Antonio and Rio Grande Telegraph Company," respectfully report they have carefully considered the same, and recommend its passage.

W. A. SAYLOR,
Chairman.

Laid over under the rules.

COMMITTEE ROOM,
Austin, August 1, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Internal Improvements, to whom was referred Senate bill No. 299, entitled "An Act to incorporate the Belzora Navigation Company," respectfully report they have considered the same, and recommend its passage.

W. A. SAYLOR,
Chairman.

Laid over under the rules.

COMMITTEE ROOM,
Austin, August 1, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your committee, to whom was referred Senate bill No. 296, entitled "An Act declaring that the time between the date of the ordinance of secession and the acceptance by the Congress of the United States of the constitution of the State, shall not be counted or reckoned against railroad companies," respectfully report they

have carefully considered the same, and unanimously recommend its passage.

W. A. SAYLOR,
Chairman.

Laid over under the rules.

Senator Flanagan moved a suspension of rules to consider the report.

Rules suspended, bill read second time and passed to engrossment.

Rules suspended, and bill read third time and passed.

BILLS AND RESOLUTIONS.

By Senator Bowers, "A bill authorizing and requiring the Comptroller of Public Accounts to invest in United States bonds the school fund."

On motion of Senator Bowers the rules were suspended to consider the bill.

Rules suspended and bill read first, second and third times, and passed.

By Senator Pickett, a bill, to be entitled "An Act supplementary to an act entitled 'An Act to provide for the registration of voters,' " approved the eleventh day of July, A. D. 1870.

On motion of Senator Pickett the rules were suspended, and bill read first and second times, and, on further motion, was made the special order for Thursday, at 11:30 A. M., and one hundred copies ordered to be printed for the use of the Senate.

By Senator Saylor, a bill entitled "An Act to incorporate the Pacific Tap and Gulf Railroad."

Read first time and referred to Committee on Internal Improvements.

By leave, Senator Mills presented the following report of Committee on Contingent Expenses.

COMMITTEE ROOM,
Austin, August 1, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Contingent Expenses have had under consideration the following bills, and recommend the payment of the same:

Your committee request that the parties to whom bills are due shall call upon the Secretary of the Senate for their necessary vouchers, &c.

BILLS.

Myles Byrne.....	\$ 8 25
J. H. Burns	45 60
Loomis & Christian.....	103 27
Swante Palm (Postmaster).....	561 32
Swante Palm (Postmaster).....	183 70
Sampson & Henricks.....	182 75
Erastus Reed (cocoa matting).....	548 35

Your committee direct the Sergeant-at-Arms to take possession of 498½ yards of cocoa matting, now lying in the lower hall; said matting will be delivered to him by the Secretary of State.

Baker & Raymond.....	16 82
Slocum & Thompson.....	10 00
T. B. Radkey.....	4 50
Tracy, Siemering & Co.....	554 00
Edwards & Mitchell.....	36 80
Nagle & Brother.....	197 50

(Signed.)

JOHN S. MILLS, Chairman.
M. PRIEST,
PICKETT,
SHANNON,
G. T. RUBY,

On motion of Senator Mills the rules were suspended and report of Committee adopted.

The hour of special order having arrived for Senate bill No. 25, Senator Bowers moved its postponement for half an hour.

Senator Fountain offered the following report of the Committee on Conference :

COMMITTEE ROOM,
Austin, August 2, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Free Conference, having under consideration House bill No. 341, report the following as the result of their conference :

Your committee agree to accept Senate amendment to section four, lines four and five, by striking out the words "sufficient to pay," and inserting in lieu thereof the words "of two per cent. to be applied to the payment of."

Your committee agree to recede from Senate amendment to section five, which adds to said section the words, "provided, said bonds shall not be sold at less than par."

Your committee agree to adhere to Senate amendment to section five, line five, by striking out the words "and a half."

Your committee agree to the following additional amendments:

Amend section one, lines one and two, by striking out "\$1,500,000" and inserting "\$750,000."

Amend section two, line two, by striking out "five years" and inserting "twenty years," and by striking out the word "twenty," after the word "payable," and inserting "fifty."

Amend section six, line two, by striking out the words "proper State officers" and inserting in lieu the words "State Treasurer."

Amend section six, line three, by adding after the word "appropriations" the words "for frontier protection."

Amend section six, line three, by striking out all after the words "heretofore mentioned."

And amend section seven, line one, by striking out the words "with the approval of the Governor and Comptroller," and add, "and no other purpose."

Amend section eight by adding after the word "bonds," in fourth line, the words, "and the plates from which said bonds are printed shall be deposited, for safe keeping, in the vaults of the State Treasury."

FOUNTAIN,	}	Committee on part of Senate.
BROUGHTON,		
G. R. SHANNON,		

Senator Pickett moved to refer the report back to the committee.
Lost.

On motion of Senator Fountain the report of the committee was adopted.

[Senator Flanagan in the Chair.]

Message from the Governor:

EXECUTIVE OFFICE,
Austin, August 2, 1870.

Honorable Senate

and House of Representatives of Texas:

GENTLEMEN: Among other matters, which I hope may receive attention before your adjournment, is that of providing for ascertaining the present debt of the State, and the payment of the same.

Section thirty-four of article twelve, general provisions, provides that "all the ten per cent. warrants issued for military services, and exchanged during the rebellion, at the Treasury for non-interest warrants, are hereby declared to have been fully paid and discharged." Under this section some arrangement must be made to ascertain what of those warrants are still valid. I trust that your honorable body may find time to attend to this matter. Justice to the parties

who hold these claims, as well as a due respect for the reputation of the State, requires that we should provide for the payment, without delay, of such of them as are still valid.

Respectfully,

EDMUND J. DAVIS,
Governor.

On motion of Senator Bowers the message was referred to a select committee of five.

Senator Bowers moved a reconsideration of the vote just taken.
Carried.

On motion of Senator Bowers it was referred to Committee on Public Debt.

The question recurring upon House bill No. 341, as amended by Committee of Conference, on motion of Senator Fountain bill read third time.

Yeas and nays on final passage.

Yeas—Baker, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon—25.

Nays—Alford, Flanagan, Latimer—3.

Absent, Mr. President.

Bill passed and sent to the House.

The Secretary also carried to the House House bill No. 294, "An Act to incorporate the Western Narrow Gauge Railway Company," with amendments.

The hour having arrived for the consideration of special order, Senate bill No. 25, "An Act regulating the sale and inspection of animals and the inspection of hides,"

Senator Douglas moved its indefinite postponement.

Yeas and nays taken.

Yeas—Alford, Bell, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Latimer, Mills, Pickett, Priest, Pridgen, Pyle, —15.

Nays—Baker, Bowers, Ford, Gaines, Hall, Hertzberg, Parsons, Pettit, Rawson, Ruby, Shannon—11.

Absent, Mr. President, Fountain and Saylor.

Motion to postpone carried.

On motion of Senator Parsons the rules were suspended to take up House bill No. 424, "An Act to consolidate in one act and amend the several acts incorporating the city of Houston, in Harris county."

And on further motion was made the special order for this evening at 8 1-2 P. M.

The hour arrived for the consideration of special order, Senate bill No. 254, "A bill to be entitled an act to establish a system of Public Free Schools for the State of Texas."

Majority and minority reports read.

Senator Dohoney moved the adoption of the minority report.

Pending discussion, Senator Ruby moved that the bill be made the special order for to-morrow at 11½ A. M., and continue till disposed of.

Carried.

Message from the House informing the Senate the Speaker had signed in open session, enrolled bill "An Act for the relief of the Houston and Texas Central Railway Company."

Also, enrolled bill, "An Act to organize, incorporate and aid the East Line and Red River Railroad Company of Texas," whereupon they were signed by the President and returned.

Also, that the House had passed Senate bill No. 252, "An Act for the relief of Mrs. A. K. Foster, widow of Senator A. K. Foster, deceased," with the following amendments:

Amend section three to be section four, and insert the following as section three: "That Hon. H. C. Youngkin be authorized to draw said per diem, and receipt for the same."

On motion of Senator Priest, the Senate went into Committee of the Whole to consider special order, Senate bill 281, "An Act to organize the courts of justices of the peace, etc."

Senator Ruby, Chairman of the Committee of the Whole, presented to the Senate the following report as adopted by the committee, and asked to be discharged from further consideration of the subject.

Report received and committee discharged.

SENATE CHAMBER.

August 2, 1870.

Hon. Chairman of the Senate in Committee of the Whole:

SIR: Your select committee, to whom were referred Senate bill No. 281, entitled "An Act to organize the courts of justices of the peace and police courts, and to define their jurisdiction and duties," beg leave to report that they have had the same under consideration, and herewith report the same back to the Senate and recommend its passage, with the following amendments in addition to those already recommended by the Judiciary Committee, to-wit:

1. In second line of the caption, strike out the word "police," and insert in lieu thereof the word "county."
2. Amend section eight, line third, by striking out the word "plaintiff," and inserting in lieu thereof the word "parties."
3. Amend section thirteen, by striking out all after the word

"court," in the tenth line, and before the word "and" in the twelfth line.

4. Also, amend section thirteen, by striking out all after the word "forthwith," in line forty-six, and before the word "upon," in line fifty-nine. Also, in line fifty-nine, before the word "*certiorari*," strike out the word "such," and insert the word "any." And in the same line, before the word justice, strike out the word "the," and insert the word "a."

5. Amend section fourteen, line twelve, by inserting after the word "sickness," the word "or," and by striking out all after the word "county." And line thirteen by striking out all before the word "any."

6. Amend section fifteen by striking out all from the beginning of line thirty-eight to the end of line fifty-four. Amend same section in line ninety-one by inserting after the word "estates" the words, "and guardians." And line ninety-four by inserting after the word "estates" the words, "and guardians."

7. Amend section sixteen by striking out all from the beginning of said section to the end of line twelve. And in line thirteen by striking out the word "such" and inserting the word "any." And line twenty-two by striking out the word "five" before the word "hundred" and inserting the word "one" in lieu thereof. And in line twenty-three strike out the word "five" before the word "hundred" and insert the word "one."

8. Amend section nine by inserting at the end of line eight the following words:

"Provided, that in civil cases no witness shall be attached, fined or imprisoned unless he shall have refused to obey a subpoena, after having been tendered his fees for one day's attendance."

9. Amend section thirty-two, in line two, by inserting after the word "allowed" the words, "the fees heretofore fixed by law and."

10. Amend sections thirty-four, thirty-five, thirty-six, thirty-seven and thirty-eight by striking out the word "police," wherever it occurs, and inserting in lieu thereof the word "county."

11. If section eighteen be stricken out, as recommended by the Judiciary Committee, we then recommend that section forty be also stricken out, as there will in that event be no real necessity for a county attorney.

All of which is respectfully submitted.

E. L. DOHONEY,
M. PRIEST,
E. B. PICKETT.

On motion of Senator Priest the report, with amendments, was adopted.

On motion of Senator Dohoney the amendment recommended by the Judiciary Committee, to strike out section eighteen, was adopted.

On motion of Senator Ruby the bill, as amended, passed to engrossment, and under suspension of rules passed to its third reading.

Bill read third time and passed.

Report of Committee on Engrossed Bills :

COMMITTEE ROOM,
Austin, August 1, 1870.

Hon. DON CAMPBELL,

President of Senate :

SIR: Your Committee on Engrossed Bills, having examined and compared Senate bill No. 319, "Authorizing and requiring the Comptroller of Public Accounts to invest in United States bonds the school fund now in the State Treasury," find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

On motion of Senator Flanagan the Senate went into executive session.

IN THE SENATE.

By direction of the Senate the Secretary informed his Excellency the Governor that the Senate, in executive session, refused to advise and consent to the appointment of R. E. Borden for Judge of the District Court of the second judicial district.

And refused to advise and consent to the appointment of T. C. Garland for Judge of the District Court of the seventh judicial district.

Under direction of the President the Secretary carried to the House, House bill No. 260, "An Act to incorporate the town of Gatesville, in Coryell county."

Senate bill No. 319, "Authorizing and requiring the Comptroller of Public Accounts to invest in United States bonds the school fund now in the State Treasury."

By leave, Senator Mills introduced "An Act authorizing and requiring the Comptroller of Public Accounts to collect the sixty-one thousand dollars, in five per cent. United States indemnity bonds, due the State of Texas, and deposited in the treasury of the United States, and invest the same in United States bonds, and for other purposes."

Read first time and referred to Committee on Finance.

Senator Priest introduced a bill to be entitled "An Act to

authorize railroad companies to regulate the gauges of their roads."

Read first time and referred to Committee on Internal Improvements.

Senator Campbell introduced "An Act to incorporate the Board of Fund Commissioners of Trinity Conference, Methodist Episcopal Church South.

Read first time and referred to Judiciary Committee.

Senator Pridgen introduced a bill entitled "An Act fixing the terms of the Supreme Court of the State of Texas, and authorizing and requiring the courts to establish rules."

Read first time and referred to Committee on Judiciary.

Senator Mills introduced a bill to be entitled "An Act to amend 'An Act entitled an act supplementary to an act supplementary and amendatory of an act to regulate railroad companies, approved February 7, 1853, approved December 9, 1857.'"

Read first time and referred to Committee on Judiciary.

Senator Flanagan introduced a bill to be entitled "An Act concerning railroads.

Read first time and referred to Committee on Internal Improvements.

Senator Bowers, Chairman of Select Committee, offered the following report:

COMMITTEE ROOM,
Austin, August 1, 1870.

Hon. DON CAMPBELL

President of the Senate:

SIR: The Select Committee, to whom was referred House bill No. 30, have carefully examined the same, and report it back with the recommendation that it do not pass.

M. H. BOWERS,
E. B. PICKETT,
M. PRIEST,
Committee.

Laid over under rules.

On motion of Senator Bowers, the Senate adjourned.

EVENING SESSION.

Senate met pursuant to adjournment; President Don Campbell presiding. Roll called; quorum present.

UNFINISHED BUSINESS.

Senate joint resolution No. 13, "Authorizing the Governor to appoint commissioners for locating new penitentiaries."

Senator Mills moved its indefinite postponement.

Yeas and nays taken:

Yeas—Alford, Bell, Broughton, Dohoney, Evans, Flanagan, Mills, Pickett, Pridgen, Pyle—10.

Nays—Mr. President, Baker, Bowers, Cole, Douglas, Ford, Fountain, Gaines, Hall, Herztberg, Parsons, Pettit, Priest, Rawson, Ruby, Saylor, Shannon—17.

Absent—Clark, Latimer—2.

Motion to postpone indefinitely, lost.

Amendment of Senator Mills of last evening session, adopted.

Senator Priest offered the following amendment:

Strike out all after the enacting clause and insert, "that the Governor be and he is hereby authorized and requested to invite proposals, by proclamation, for the location of two penitentiaries in this State; one east of the Trinity, and one west of the Colorado rivers, and report the result to the next session of the Legislature."

Adopted.

On motion of Senator Alford Senate joint resolution No. 13 passed to engrossment.

Rules suspended, read third time and passed.

Special order, House bill No. 424. The hour for special order having arrived, on motion of Senator Pickett it was postponed for five minutes.

Senator Ford moved a reconsideration of the vote taken on House amendments to Senate bill No. 82.

Amendment—insert in section two in nineteenth line, by adding, "running in some general direction."

Senator Ford moved the Senate recede from its action in passing House amendment.

Carried.

Secretary carried the bill to the House with the action of the Senate.

The hour having arrived for the consideration of the postponed special order, House bill No. 424, "A bill to consolidate in one act

and amend the several acts incorporating the city of Houston, in Harris county.

[Senator Dohoney in the Chair.]

Bill read second time.

Senator Bowers offered the following amendment.

Amend so that the salary of the mayor shall be fixed by the aldermen.

Senator Alford offered the following amendment to the amendment:

Amendment—Provided, that before the said charter shall become a law, an election shall be had, and it shall be adopted by a majority of all the legal voters of said city.

Lost.

The question recurring upon the amendment of Senator Bowers, amendment was lost.

Rules suspended, bill read third time.

Yeas and nays taken on final passage.

Yeas—Mr. President, Baker, Bell, Broughton, Cole, Dohoney, Douglas, Evans, Flanagan, Ford, Gaines, Hall, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon—23.

Nays—Alford, Bowers, Hertzberg—3.

Absent, Clark, Hall, Latimer—3.

Bill passed.

Secretary carried the same to the House.

On motion of Senator Hertzberg the rules were suspended to take up Senate bill No. 238, "An Act to incorporate the United States and Mexico Railroad."

Bill read second time and substitute adopted.

Senator Pickett offered the following amendment:

SEC. 1. In line sixteen strike out after the words, "the United States and Mexico Railroad Company," and substitute the words, "The Pacific and Great Eastern Railway Company of Texas."

SEC. 2. Line second, after the words "commissioners of the" strike out the words "The United States and Mexico Railroad," and insert "The Pacific and Great Eastern Railway Company of Texas."

SEC. 5. Line second, after the words "to the," strike out the words "United States and Mexico Railroad," and insert "The Pacific and Great Eastern Railway Company of Texas."

Adopted.

Also, amended so as to change the caption, "An Act to incorporate the Pacific and Great Eastern Railway Company of Texas."

And to make the same change wherever the same language occurs.

Adopted.

Rules suspended and bill read third time.

Yeas and nays taken on final passage :

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Broughton, Cole, Dohoney, Douglas, Evans, Flanagan, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon—26.

Nays—None.

Absent—Clark, Latimer—2.

Bill passed.

On motion of Senator Mills the rules were suspended to take up Senate bill No. 34, an act to amend an act, entitled "An Act to incorporate the Western Texas Life, Fire and Marine Insurance Company of the city of San Antonio, Texas," passed February 16, 1856.

Bill read second time and passed to engrossment.

Rules suspended and bill read third time.

Yeas and nays taken on final passage :

Yeas—Mr. President, Baker, Bell, Bowers, Broughton, Cole, Dohoney, Douglas, Evans, Flanagan, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon—26.

Nays—None.

Absent—Alford, Clark, Latimer—3.

Senator Gaines offered the following resolution :

Resolved, That the Sergeant-at-Arms be directed to furnish twenty pounds of ice for night sessions.

Senator Priest moved to amend by inserting "ten," instead of "twenty."

Amendment lost.

The question recurring upon the resolution of Senator Gaines, it was adopted.

On motion of Senator Parsons, the rules were suspended to take up Senate bill No. 32, "An Act to incorporate the Houston Hook and Ladder Company, No. 1."

Bill read second time and passed to engrossment.

Rules suspended and bill read third time.

Yeas and nays taken on final passage :

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Broughton, Cole, Dohoney, Douglas, Evans, Flanagan, Ford, Fountain, Gaines, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon—26.

Nays—None.

Absent—Clark, Hall, Latimer—3.

On motion of Senator Pettit, the rules were suspended to take up House bill No. 200, "An Act in relation to the Missouri, Kansas and Texas Railway Company, late Union Pacific Railway Company, Southern Branch."

Rules suspended and bill read second time.

Senator Broughton offered the following amendment:

Amend section first, line five, by striking out "between Preston and Doaksville," and inserting "at a point within five miles of Preston, on Red River."

Lost.

[Senator Priest in the Chair.]

Message from the House informing the Senate the House had passed House bill No. 486, "An Act to authorize the police courts of counties to levy and collect a special tax for the repair of public buildings."

House bill No. 440, "An Act supplementary to and amendatory of an act entitled 'An Act to incorporate the city of Corpus Christi, approved February 13, 1854.'"

House bill No. 483, "An Act making an appropriation to pay Peter Metzgar for conveying his daughter, Anna Metzgar, from Arkansas to her home in Texas, who was captured by the Indians and recovered at the boundaries of the State."

House bill No. 484, "An Act providing for the issuance and sale of the bonds of the State for the purpose of meeting the appropriations made for maintaining ranging companies on the frontier."

The question recurring upon the final passage of House bill No. 200, Senator Bell offered the following amendment:

Amend by striking out section two.

Senator Saylor moved the bill be made the special order for Monday at 12 o'clock.

Yeas and nays taken.

Yeas—Broughton, Evans, Ford, Gaines, Parsons, Pickett, Pridgen, Saylor, Shannon—9.

Nays—Mr. President, Alford, Bell, Bowers, Cole, Dohoney, Douglas, Flanagan, Fountain, Hall, Hertzberg, Mills, Pettit, Priest, Pyle, Rawson, Ruby—17.

Absent—Clark, Baker, Latimer—3.

Motion to postpone lost.

The question recurring upon the adoption of the amendment offered by Senator Bell, amendment lost.

Senator Bowers moved the Senate adjourn.

Lost.

The question recurring upon the passage of House bill No. 200, the yeas and nays were taken :

Yeas—Mr. President, Alford, Bell, Cole, Dohoney, Douglas, Flanagan, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Pyle, Rawson, Ruby, Saylor, Shannon—21.

Nays—Broughton, Evans, Pickett, Pridgen—4.

Absent—Baker, Bowers, Clark, Latimer—4.

Senator Flanagan moved a reconsideration of the vote just taken, and to lay the motion to reconsider upon the table.

Yeas and nays taken.

Yeas—Mr. President, Alford, Cole, Dohoney, Flanagan, Fountain, Hall, Hertzberg, Mills, Pettit, Priest, Pyle, Rawson, Ruby, Saylor—15.

Nays—Bell, Bowers, Broughton, Douglas, Evans, Ford, Gaines, Parsons, Pickett, Pridgen, Shannon—11.

Absent—Baker, Clark, Latimer—3.

Motion to reconsider and lay on the table carried.

On motion of Senator Campbell the Senate adjourned.
